

Tenants United

A Publication of Newark Tenants Organization

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Win \$100 Today!



Lauren Connell

Less than one-fourth of the tenants in Newark have received their 1977 Tenant Tax Rebate according to the Newark Rent Control Board. If you haven't gotten your rebate you may be entitled to more money than you had expected. Find out how to get your rebate on page 6.

Woman Defies Co-op Management

Gwen Harris has refused to pay a \$20 rent increase since July. The management of her cooperative, High Park Apartments, stated that it needed the increase, "temporarily", in order to pay off old utility bills.

A resident of 102 Prince Street, Ms. Harris wanted proof that, indeed utility payments were owed. Social Enterprises, the management agency, finally summoned her to Landlord/Tenant Court on January 11, asking for withheld rent increase, which by then had amounted to \$140.

Judge Dios ruled that she did not have to pay the rent increase. The judge's decision was not on the grounds that the management agency needed to prove that it owed utility bills, but because she had originally received an improper (illegal) notice of the rent increase.

Ms. Harris believes she was the only resident of the 217 unit co-op to withhold the rent increase. Now that she has taken a stand against management and won, Ms. Harris feels this would be a good time to get other dissatisfied residents of her building to organize for needed change.

One target she mentioned would be to get budget statements and Co-op Board activities publicized so that residents can know how their money is spent. Residents also ought to be given identical leases. Ms. Harris feels improvement in the maintenance of the grounds and regular painting and cleaning of hallways is necessary. Ms. Harris would like her section of the co-op to look as nice as the one in which many of the Board members reside.

TENANTS UNITED is the newsletter of the Newark Tenants Organization. We report on tenants around the city who are working together to make change. You will also find useful articles to help you and your neighbors get what you are entitled to. We invite your suggestions and comments. The N.T.O. office is located at 944 Broad Street, 2nd floor, Newark - 642-6471.

Residents Fight City to Save Their Neighborhood

The Architects' Community Design Center has created with and for the community involved, a plan to revitalize the area west of Newark's downtown business district, near the County Court House.

The design, called PLAN (Planning Living Alternatives for our Neighborhood), calls for much housing rehabilitation and low-rise housing to be built on presently vacant land. This would enable people to remain within their neighborhood.

University City, a Mayor's Policy Development Office sponsored design for the area, which cost \$93,000 to produce, instead calls for mass housing demolition. Twenty-nine square blocks would be leveled, forcing 900 families to leave their homes. Once these lower-income families move, they would be unable to return to a completed University City. Rents for the new housing are projected at \$500 to \$600 a month.

PLAN attempts to keep as much of the old neighborhood as possible, unlike University City, which wishes to replace it with high rises, as if to isolate it from the rest of the Central Ward.

PLAN is important because it represents community residents of a long ignored neighborhood working together toward the growth and rejuvenation of their homes. PLAN, if realized, could generate optimism in residents from other neglected parts of Newark.

Until the mayor stops trying to lure the middle-class to Newark by planning for them a fortress insulated from its surrounding neighborhoods, such as with University City, PLAN will not receive the official support it needs - NOW.

Got No Heat?

Are you one of the thousands of tenants in Newark who is shivering through another winter of no heat? Is your gas bill soaring as you try to heat your apartment with your kitchen stove? Here are some steps that have gotten results for other tenants:

1) NOTIFY YOUR LANDLORD IMMEDIATELY.

Put your complaints in writing and send a copy to the owner of the building by "Certified Mail, Return Receipt Requested."

2) CALL CODE ENFORCEMENT EACH & EVERY DAY YOU ARE WITHOUT HEAT.
(733-6471, evenings: 733-3719)

This agency is part of the city's Department of Health and Welfare and is responsible for inspecting apartments for housing code violations. When calling for an inspection, be sure to tell the person you are speaking to whether the problem is just in your apartment or if the entire building warrants inspection. Don't forget to be home on the day you expect the inspector. (NOTE: Have the inspector take his temperature reading in the coldest room. If you have been heating with your stove and the temperature in your apartment is up to 68°, the inspector cannot write up a violation).

3) KEEP YOUR OWN RECORDS.

Make a note on a calendar of each day that your are without heat or hot water. Keep track of how many times you've complained to the landlord and the dates that inspectors came out. These records become very important if you have to go to court.

4) HAVE A TENANTS' MEETING IN YOUR BUILDING.

The easiest way to get a tenant association started is to call a meeting to deal with an emergency problem. Once you get acquainted with your neighbors and begin to work together for the improvement of the building, you will see your landlord get to work too. Get in touch with Newark Tenants Organization for assistance in organizing a tenant association.



* * *

Now that you have written to your landlord, had the building inspected and organized your neighbors, it's up to the landlord to make the next move. If he or she refuses to cooperate with your tenant association there are several types of actions you can take: picket your landlord's home or office, complain directly to the Newark City Council, begin a rent strike or repair and deduct. (Remember that you'll need to get some legal advice BEFORE withholding rent or making deductions.)

Unfortunately, each of these steps takes time. But this is the only way to let the landlord know that you mean business.

TAX REBATE

continued from page 1

As of January 1, 1978, any tenant who was eligible for a rebate and did not receive one can sue his or her landlord and collect either double the amount of the rebate or \$100, whichever is more.

YOU QUALIFY IF:

1. You live in a building containing 4 or more apartments. You also qualify if the building is less than 4 units and the owner does not live on the premises. (In other words, tenants in 2 or 3 family houses where the owner occupies one of the apartments are not eligible for the rebate).

AND 2. You do not owe any back rent from 1977.

AND 3. Your landlord is charged Property Tax by the city of Newark. Even if your landlord has not yet paid his 1977 taxes, he is still obligated to pay you your rebate. (Public housing and certain newer housing developments are exempt from the city's Property Tax and therefore tenants who live there are not entitled to rebates).

AND 4. You are sure that your landlord has not given you a rebate check or a credit toward your rent (a rent reduction).

In order to collect double your rebate or the \$100 you must first file a complaint and appear for a hearing at Small Claims Court in the Essex County Court House. There is a fee of \$3.70 that you must pay when you file your complaint. You will receive this money back from your landlord after you have won your case. The hearing is usually scheduled for 3 weeks after you have filed.

For more information, contact Newark Tenants Organization.

Did you move in 1977? If both apartments qualified for tax rebates and neither landlord paid you or gave you a credit, you can file separate complaints asking for \$100 from each landlord.

Landlord Lowers Rent \$50

The tenants of 25 Davenport Avenue saved themselves as much as \$50 each in rent increases recently. This savings came as a result of an out of court settlement between the owner and tenants. In addition, the owner agreed to make the necessary repairs to tenants' apartments.

The landlord had received approval for "hardship" rent increases by the Newark Rent Control Board last year. The approved increases would have raised the rent on a four room apartment from \$100 to \$160. The Rent Control Board granted the increase based on questionable financial information submitted by the landlord. Because tenants did not come to the Board's hearing to challenge the landlord's expenses, the Board accepted them as true. The Board did know, however, that in eight of the nine apartments, the bathrooms are without basins, bathtubs or showers. Yet, the Board overlooked this and other housing code violations and decided that the owner was entitled to make money.

The tenants refused as a group to pay the increase in defiance of the landlord and the Rent Control Board. The landlord summoned all of the tenants to court in January. When they confronted him with their complaints outside the courtroom he chose to avoid a lengthy and embarrassing hearing before the judge. Instead, the landlord agreed to drop the cases against the tenants and to make repairs in return for a \$10 per month rent increase. The tenants were satisfied with this arrangement and promptly wrote down their complaints for the landlord to repair.

It is interesting that the landlord was willing to settle for a \$10 rent increase when the Newark Rent Control Board had decided earlier that no less than a \$60 rent increase would be necessary to maintain the building.

Newark Slumlord Exposed

LOUIS MALAVARCA, one of Newark's largest and most infamous slumlords will be the target of a television documentary early next month. The program will focus on what Malavarca's tenants are doing to stop his pattern of rip-off and abandonment that has destroyed many of our neighborhoods. The story, called "These Are Our Homes," will be broadcast on WNET Channel 13's Dateline: New Jersey on Friday, March 10 at 10:30 p.m. and will be repeated on Sunday, March 12 at noon.

REPORTERS

PROOFREADERS

PHOTOGRAPHERS

Needed to Volunteer Time

No Experience Needed

Call the TENANT VOICE

201-642-5255

Do you expect to be moving soon?

Please let us know what your new address will be.

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